

REMARKS/ARGUMENTS

The present response replies to an Office Action dated June 12, 2008. Claims 1-33 are pending in the present application. Claims 11-32 were previously withdrawn. In the Office Action, the Examiner rejected claims 1-10 and 33 on various grounds. Reconsideration of this Application is respectfully requested.

35 U.S.C. §102 Rejections

A. Claims 1-10 and 33 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2003/0219562 to Rypacek, *et al.* (the *Rypacek* publication).

According to 37 CFR 1.131(a), “[w]hen any claim of an application ... is rejected, the inventor of the subject matter of the rejected claim... may submit an appropriate oath or declaration to establish invention of the subject matter of the rejected claim prior to the effective date of the reference or activity on which the rejection is based.”

The Applicant hereby traverses the 35 U.S.C. §102(e) rejection and respectfully submits an affidavit of inventor Rangarajan Sundar and supporting material that establishes invention of the subject matter of the rejected claims prior to the effective date of the *Rypacek* publication, with supporting material attached as Exhibit A.

Withdrawal of the rejection of claims 1-10 and 33 under 35 U.S.C. §102(e) is respectfully requested.

B. Claims 1-10 and 33 were rejected under 35 U.S.C. §102(f) because the Applicant did not invent the claimed subject matter.

According to 37 CFR 1.132, “[w]hen any claim of an application ... is rejected or objected to, any evidence submitted to traverse the rejection or objection on a basis not otherwise provided for must be by way of an oath or declaration under this section.”

The Applicant hereby traverses the 35 U.S.C. §102(f) rejection and respectfully submits an affidavit of inventor Rangarajan Sundar and supporting material that establishes invention of the subject matter by Rangarajan Sundar, with supporting material attached as Exhibit A.

Withdrawal of the rejection of claims 1-10 and 33 under 35 U.S.C. §102(f) is respectfully requested.

Conclusion

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account No. 01-2525. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at telephone (707) 543-5021.

Respectfully submitted,

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